

attention was concerned. It is admitted that the poor, the real deserving poor, have the very best medical aid. Why then reduce to vassalage the high minded, richly qualified and generous profession of medicine? The middle class are liberally compensated for their labors, and are more than liberally dealt with by the medical fraternity as a class. The spirit of independence, the right to purchase, and the privilege of paying—these are sentiments dear to the heart of every upright manly American citizen, and will not be easily taken from him, as such an act, as proposed for the establishment of Social Health Insurance would bring about.

While the action of the present medical law is not conducive to the elevation of the medical man, the standard of medical education has been constantly elevated in the State; but such an act as the one proposed, would have no tendency to stimulate the mental activities of the profession, but would put a premium upon the corrupt, incompetent, and designing political seat-warmer; for ability could not prevail in a contest with political influence and graft. The doctors, irrespective of professional attainment, who could swing the greatest amount of influence and votes would occupy the desirable positions *ad infinitum*. The *hoi polloi* would get just what such an act would warrant—inefficient and low grade service. It is generally conceded that the self-respecting labor unions are opposed to such an act. They rightly regard it as un-American and an usurpation of their privileges and inherent rights. They object, seriously, to enforced paternalism, and reject any proposition curtailing their rights to the selection of a medical adviser.

Who among us is willing to surrender the right of adequate compensation for the years of laborious application and the money expended to obtain our medical education? What occupation, except that of medicine, presents the incongruous situation of its fellows doing all they can scientifically, educationally and practically, to ruin their own calling, by getting sick people restored to health and teaching them to remain well? What class of men, irrespective of occupation, gratuitously give to charity, year in and year out, more than the medical men? If we are to be reduced to the acceptance of a State-regulated remuneration, why not the plumber, the carpenter, or any other tradesman? I hold it as much of a misfortune for my boiler in my kitchen to burst as that my patients' family be suddenly stricken with illness—yet the State makes no provision for the repair of my boiler, neither does it prescribe what the plumber shall be paid. It is reserved for the learned profession of medicine to be regulated by law as to its activities and its compensation. Who, under such circumstances, would permit a brilliant son to engage in the study of a profession requiring some six or seven years of arduous labor; when, in the end, he is to become a humanitarian dreamer, willing to assume a greasy black gown and a pair of spectacles, and be satisfied with meagre fare and poor compensation? What a splendid inducement for brains and ability.

This bill is an assault upon the rights of every man practicing medicine in the State of California, and should be met with united and determined opposition by every medical man of every school of practice throughout the land. It is an attempt to enslave the profession, to deprive it of its just rights and privileges; and, under the cloak of charity, is selfishly catering to the aggrandizement of a few Socialists and dreamers. Let them prophesy for us as gloomily as they wish, and let them proclaim in the *ipse dixit* platitudes of idealists as they may; the world is a practical problem and we still have it within us to oppose and finally defeat them, but it can only be accomplished by concentrated and united action. *Fideli Certa Merces.*

### ABORTION, AND SOME SUGGESTIONS HOW TO LESSEN CRIMINAL ABORTIONS.\*

By OSWALD H. BECKMAN, M. D., Fort Bragg.

Abortion is the condition where the product of uterine conception has been brought to an unnatural end in the earlier months of pregnancy.

Abortions are either "accidental or induced."

I shall here dismiss the accidental part of this subject by stating that every physician should know just what to do in the premises, and ought to endeavor to rectify causes producing abortions habitually.

The induced abortions are of two kinds, "legal and criminal."

Let us admit that conditions might arise where an abortion is absolutely necessary (legal).

That will leave for our consideration the criminal part of induced abortions, with suggestions for the lessening of this great evil.

Dr. Charles D. Ball, of Santa Ana, in his excellent article, "Criminal Abortion and the Medical Profession," read before the Southern California Medical Association, in December, 1915, and published in the February issue of the *California State Journal of Medicine*, estimates that there are, at least, five millions of criminal abortions in this country every year, and that the birth rate is about two millions. Assuming one-fifth of those abortions to be repetitions, it would still leave four million individual women criminally aborted every year. If those four million would have accepted motherhood—and we grant, for the sake of convenience, that a mother devotes two years upon an individual baby—it would still leave two millions as the sum total to be added to the estimated two million viable babes born annually. In other words—if criminal abortions could be stopped—it would increase the nation's birth rate by, at least, 100%. I fully agree with Dr. Ball that, if continued, it will annihilate the nation, or that portion of it which has been its backbone in times past. The present and past generation of this nation, and especially the so-called upper and middle classes, will have a great many sins of commission, and omission, to answer for at the

\* Read before the Mendocino County Medical Society July 8, 1916.

judgment seat of posterity. The more well-to-do women—leaving out the honestly religious and the absolutely honest—speak slightly about such peccadilloes as a miscarriage, and intimate that they are too smart to have children. Their foreign-born hired girls are very fertile soils for chance expressions to take root in. They ape their mistresses in those liberal and modern opinions on motherhood. A very few years suffices to forget the sacredness of conception, their mothers, and a healthy public opinion, had implanted into them. After getting married they often resort to the same tricks their former mistresses were wont to practise. Unlike the former mistresses, however, they see no necessity for bridling their tongues, are prone to talk on that subject whenever an occasion presents itself, and give advice to those not as well posted as themselves. Judge what effect such opinions have upon the growing generation within the sphere of those influences.

Another cause is the religious and social ostracism placed upon illegitimate conception. It is only recently that religion and society has shown any pity for an unfortunate woman who had loved—not wisely, but too well. She and her offspring were hounded to perdition, while the father of the child—even if suspected, or proven of the paternity—remained a respected member of society and continued prominent in politics and religion. True, in times past, laws have been enacted compelling the lover to legalize both wife and child. Still pity was not the source of those laws. The public demanded them, so the community at large might escape the possible care of the mother and child.

Causes for criminal abortion can be legion, making it a waste of time and space to enumerate. Therefore, let it suffice to state that I believe criminal abortions flourish as never before. The responsibility for them rests somewhere, otherwise there would be none.

The public conscience is aroused once in a while when it becomes known that a criminal abortion was the cause for the untimely death of a victim. However, it seldom happens that the performer of that abortion is brought either to light or to justice. Moreover, I do believe that many of the deaths due to criminal abortion have been ascribed to other causes.

I mind three occasions that thoroughly aroused the public conscience all over this nation. The first occasion was the celebrated trunk mystery nearly forty years ago. A trunk—containing the body of a young woman, victim of criminal abortion—was shipped from place to place for several days until a newsboy drew the attention of a baggageman to the putrid odor issuing from the trunk. Clever detective work proved the crime on a "Dr." Rosenberg, an abortionist in the city of New York. Public opinion demanded punishment and the abortionist got ten years, the full extent of the law. Popular clamor compelled the lawmakers of New York to pass severer laws.

The second occasion: also in the city of New York, was that of Madam Restell. She had

amassed a million, or more, as an abortionist. Catered only to the rich and powerful, and lived among the wealthy. The critical public was not allowed to know the sources of her income. Her criminal career came to an abrupt end through a body found floating in the river. The body—that of a young victim of criminal abortion—was traced to have come from the house of Madam Restell. Her arrest produced the greatest of sensations. The public conscience was again aroused to such an extent that no one wished to go her bail. She offered the judge government bonds as security, but even the judge treated her with contempt, and declared he was no custodian for property, and that she had to produce bondsmen. At last, a bonus of \$20,000 secured two German brewers to go her bail. It was hinted that all the wealth and political power—in and around New York—was shaking with fear that Madam might confess, giving names, etc. A day or two after her release on bail, she was found dead in the bath tub, her throat cut, the water turned on and running over. The papers hinted that her suicide must have given great relief to those fearing her revelations.

The third occasion happened in Rhode Island, and recently. In this instance, it was not the death of the victim of criminal abortion that produced the sensation, but the murder of the reputed abortionist himself. The prosecution claimed that jealousy was the cause, and that the murder was due to a conspiracy. His widow was accused and had to stand trial. All the wealth and power of Newport and Providence were lined up on the side of the widow. Why? The fear of exposure was hinted at even here. Public scrutiny of the murdered doctor's books might disclose names. As the widow was acquitted it eliminated the possible danger of any names on those books becoming public. That doctor's income was placed at upwards of \$50,000 a year. His practise was among the society women of Newport and Providence.

Every criminal abortion is a calamity—to the life of the embryo and the morals of its mother—its effect is just as pathetic individually as the millions of victims are to the nation. The public conscience can only be aroused by a calamity—something startling—or by some one capable of forcibly drawing its attention to the enormity of criminal abortion.

Is it not a peculiar fact that persons having the power to influence large bodies of the public, invariably, should use that gift to frighten it with what might happen to the soul in the hereafter? How much more laudable to constantly use that divine gift for the saving of the human embryo.

Why should the evangelists forever spend their time and talent in just frightening people with the wrath of God? Could not that time and those talents be used to encourage and sustain the mothers of the nation in the natural instinct to love and protect their embryo offspring? Labors thus given would become a national blessing to both politics and religion. It would help to eliminate some of the hypocrisy in religion and compel politics to propose and enforce better protection to

the nation's unborn. By constantly hammering at it, the aroused public opinion would compel the governing powers to pass suitable laws and to enforce them.

I fully agree with Dr. Ball that the state should make abortion and its cause reportable. This publicity would do more to eliminate criminal abortions than anything else. It would also enhance the importance and sacredness of the embryo in the minds of the public.

Have a penalty for non-report. If a woman miscarries without any one being present, she should be compelled to report it. Make it obligatory upon any person having a knowledge of an abortion not reported, to notify the proper authorities.

Dr. Ball suggests in addition, that the report should state whether it was a criminal abortion or not, and the name of the consultant. I think that unnecessary, as it is almost impossible to legally prove that, unless the patient herself, or some one else confesses to it. Those matters could be reported—optionally—under the head of remarks. If the person sending in the report knows it to be a criminal abortion, that person must report it to the proper representative of the law or be considered an accessory. (From Dr. Ball's paper—quoting extracts from penal code of California—"Sec. 32. Accessories.")

I shall here mention a case where two reputable physicians were accused by a third one. The woman had been criminally aborted and died from the after effects of it. The magistrate called me to perform the autopsy. There was no question as to the cause of death. When testifying I was asked if any or all of the evidence of violence to the uterus could have been caused by the first two physicians' efforts in trying to save the life of the patient, and whether I could tell if the evidence of violence was due to that or to the production of the abortion. (Debate in your own minds what answers you would give.) To the first I answered that it could. To the second that I could not. At the trial, evidence was brought to light that the woman herself had stated some days prior to the calling in of the first two physicians that she herself had used some means to abort herself. Other corroborative evidence proved the innocence of the accused physicians. I've been told by the consultant that when the first physician was called in, he at once brought the consultant into the case, and that every effort was used to save the patient's life, and that just prior to her death the third physician supplanted them.

It would be utterly impossible for a consultant to know who was responsible for the criminal part in any given case.

What would you do if brought post haste, five or more miles into the woods, to a woman bleeding profusely, and was told that she had slipped while out in the barn, or that she had lifted a washtub, and ever since had occasional pains accompanied by hemorrhage from the uterus? No doubt—time and distance permitting—you would have a consultant, or better still, order her to be brought

to town, if in your judgment her condition allowed it. The most likely course you would take would be to clean out the uterus of whatever caused that hemorrhage. I have arrived ten or more miles into the woods to find the necessity so great for speedily getting rid of whatever caused the uterine hemorrhage that there was hardly time to sterilize my instruments. The patient so weak from loss of blood that she could not lift her hand to her face.

Admitting that in our midst a great many physicians are doing a thriving abortion business, how are we going to prove it? They surely would have made themselves prominent in societies, society, religion or politics, perhaps in all of them, and naturally would have a large following, and enjoy lucrative practises. If they were accused, and incontestable proofs produced, a large part of the public would line up for the defense. Local newspapers would take sides, and if brought before a court and jury, the main witness would have been so manipulated that—after having, on a previous occasion, given uncontestable evidence for the prosecution—she would switch over to the defense. Most likely the defendant's lawyer would bring forward affidavits of good moral character by the hundreds, and contend that jealousy and envy were the basis for the prosecution. He would cunningly place the martyr's halo upon the head of the defendant, and get an acquittal. It may also happen that after the acquittal the prosecuting district attorney would lamely move the court to have that witness arrested for perjury, and also that the court would not entertain the motion. That very thing happened in a neighboring state some twenty years ago. Prominent business men gave affidavits of good character, when requested by the defendant's lawyer. One of the local papers did overtime on invectives upon the heads of those responsible for that investigation. That paper expressed grievance that it was not possible to prosecute those that had demanded the fumigation of the local medical profession. It went so far in its spleen that it even vented its tirades upon the president of the Board of Medical Examiners.

Dr. Ball states that our burden is heavy, but that we are not to blame for the low moral standard of a woman who would destroy her unborn infant. That is true. Nor are we to blame for the sleepy public conscience that has produced it. The blame lies upon society at large, and upon those who are molding the public opinion. The press generally turns into a saint when some individual calamity becomes public, and when society is shocked into abhorrence. But as soon as public interest subsides, then the press also loses interest in the causes responsible for those calamities.

Why could not the well meaning men and women who are expending a lot of energy, and go almost into hysterics over the supposed cruelty of experimental therapeutics, be brought into line to try and help save the nation's unborn victims of criminal abortion? Is not criminal abortion cruelty of the worst kind and deserving of en-

listing the energies of those good and sympathetic people for its suppression? Why could not they be brought to expend the time, energy and means at their disposal to constantly arousing the public conscience to perceive the enormity of criminal abortion? Thus by assisting in the mission to eliminate cruelty from the everyday life of the people towards their unborn descendants, they would more surely attain the object of their efforts. By constantly hammering at the door of the growing public, the conscience of the future mothers of the nation will grow up with better conceptions of their duties and very much higher ideals about their missions. Let us get the nation's evangelists to stir the grown-up public conscience to perceive the enormity of its indifference towards the generations to come. Why should not their (the evangelists) great endowments be used in the service of the unborn.

Collectively let us induce every influence into the cause for the preservation and benefit of the embryo. Individually we must extend respect and deference to every pregnant woman—privately as well as publicly—ever inculcating that same deference into others, especially the growing generation. No woman is indifferent to honest deference and respect. Discourage, privately as well as publicly, those who try to bring ridicule or contempt upon an "unfortunate" pregnant woman. She is indeed unfortunate but not criminal, like those of her sisters who resort to the abortionist. Point out that she is deserving of their pity instead of ridicule, and that the offspring she so bravely cherishes and protects may prove to be, when a full grown person, of use and honor to the nation. Therefore revere every mother, and by your persistency contaminate others to do likewise.

Dr. Ball points out that in the efforts to influence better laws and their enforcements, both state and national, the medical profession must be represented by the societies, for in them is the nucleus of organization. I fully agree with him. Let the State and County Societies ask every candidate for governor, legislator or state senator if, when elected, they would forthwith do their utmost in getting laws passed making abortion and its cause reportable. There should be two separate blanks to be filled, "birth and death." Furthermore, a law should be passed that all known pregnancies—as far as possible—should be reported and the supposed time of maturity noted. Then the family physician—or for that matter some one else—would know if an abortion had been resorted to. If a reported pregnant woman failed to bring forth a child at maturity, and no reports appearing on the records of her having aborted—accidentally or otherwise—she could be used by the state to ferret out the one who relieved her of her embryo. That law in itself would drive both the professional and occasional abortionist out of business. It would also make our specialists and others more careful when a patient presented her-

self for either irrigation or curettement. The possibility of her being pregnant and of some one knowing it would prevent the curettement or irrigation unless positive evidence of non-pregnancy existed.

The American Medical Association, backed by the State and County Societies, should demand from every candidate for congressman or senator a promise that, if elected, each would support, or help initiate, the passage of laws that would give greater national protection to human embryonic life.

Dr. Ball summarizes:

First—The moral standard of many women must be raised.

Yes! And not only that, but of the whole public that sleepily tolerates it. Let us, in a body, try to arouse the public conscience through the means that can reach it. Laws will help some, but you cannot make people good at heart by law. Let the State and County Societies get up a circular to be used by the individual members as representatives of the State and County Societies. Distribute them also by mail, or otherwise, to persons most likely to be able and willing to assist in this propaganda.

Second—The medical profession must clean house.

The suggestions of this paper, successfully carried out, would positively clean the medical profession's house.

Third—The nation must make it possible for the poor to bear children and it must educate the children of the poor.

Does Dr. Ball mean that to lessen criminal abortions the nation should extend its charity to the women of the poor during pregnancy and lactation, and—through national charity—make it possible for the children of the poor to get an education? In other words, to feed and care for the children of the poor during their school age, and to feed and house the mothers of the poor during pregnancy and lactation. If not, is it a suggestion that the nation should take over all the industries of whatsoever character? Thus taking upon itself the duty of supplying everybody with constant work and in that way provide the poor man with the unfailing means of taking care of his wife and children.

Fourth—Federal anti-abortion laws must be enacted.

Yes! and enforced.

In conclusion, let me state that in publicity—together with suitable laws properly enforced—we have the best means to check criminal abortions. Furthermore, into the national conscience must be implanted reverence for the human embryo. The soil for that growing reverence should be constantly cultivated, not only by the society members of the medical profession, but by all good practitioners and everybody that aspires in any way to promote the good of the nation.